

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Adopted and Filed

Rule making related to farm-to-school fund

The Agriculture and Land Stewardship Department hereby adopts new Chapter 51, “Farm-to-School Fund,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 190A.6 as enacted by 2021 Iowa Acts, Senate File 578, section 7.

State or Federal Law Implemented

This rule making implements, in whole or in part, 2021 Iowa Acts, Senate File 578.

Purpose and Summary

This rule making implements 2021 Iowa Acts, Senate File 578, by laying out a process for schools to participate in the farm-to-school local food reimbursement program. Schools may be reimbursed by the Department for up to \$1,000 in local food purchases per year on a three-to-one matching basis.

These rules address how schools can apply to participate, describe eligible purchases, and set forth the reimbursement process.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on December 29, 2021, as **ARC 6113C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Department on February 2, 2022.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 21—Chapter 8.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on March 30, 2022.

The following rule-making action is adopted:

Adopt the following new 21—Chapter 51:

CHAPTER 51
FARM-TO-SCHOOL FUND

21—51.1(190A) Purpose. The purpose of the farm-to-school fund is to assist schools and school districts in purchasing food locally grown or produced by Iowa farmers to serve in school meals or as snacks.

21—51.2(190A) Definitions.

“Department” means the department of agriculture and land stewardship.

“Food product” means a perishable or nonperishable product derived from processing a food commodity to be fit for human consumption, including but not limited to cuts of meat, poultry, or fish; shelled aquatic items; pasteurized milk or dairy products; washed shelled eggs; honey; maple syrup; cleaned unshelled or shelled nuts; washed whole produce; and washed and cut produce.

“School” means a public school or nonpublic school, as those terms are defined in Iowa Code section 280.2, or that portion of a public school or nonpublic school that provides facilities for teaching any grade from kindergarten through grade 12.

21—51.3(190A) Application to participate. To participate in the farm-to-school program, schools must register with the department each school year. A school may apply to the department at any time during the school year.

21—51.4(190A) Eligible purchases.

51.4(1) Schools may be reimbursed for the purchase of a food product if either of the following applies:

- a.* The food product was produced by a farm source located in this state.
- b.* If the school district shares a border with another state, or the school is part of a school district that shares a border with another state, the farm source may be located in the other state. However, the farm source must be located within 30 miles of the school district’s border with the other state and the department must approve the purchase in advance.

51.4(2) Purchases must follow United States Department of Agriculture (USDA) child nutrition program procurement requirements.

21—51.5(190A) Reimbursement for purchases.

51.5(1) Participating schools or districts must submit a request for reimbursement to the department, and proof of purchase must be provided at that time.

51.5(2) The department will reimburse \$1 for every \$3 spent by the school or school district, up to \$1,000, as funds are available.

These rules are intended to implement Iowa Code chapter 190A.

[Filed 2/4/22, effective 3/30/22]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 2/23/22.